

ORDINANCE No. 1528
of the
TOWN of HIGHLAND, INDIANA

**AN ORDINANCE to AMEND the HIGHLAND MUNICIPAL CODE,
ESTABLISHING AND AUTHORIZING A HIGHLAND MAIN STREET BUREAU,
REPEALING ALL ORDINANCES in CONFLICT THEREWITH, and
DECLARING an EMERGENCY**

WHEREAS, I.C. 36-1-3-4(b) specifically provides that a unit of local government has all powers granted it by statute and all other powers necessary or desirable in the conduct of its affairs, even though not granted by statute; and

WHEREAS, IC 36-7-4 specifically provides that a unit of local government shall govern planning and development according to its terms and provisions;

WHEREAS, The Town Council has previously adopted the provisions of IC 36-7-4 establishing a plan commission and IC 36-7-14 establishing a redevelopment commission;

WHEREAS, The Highland Town Council has determined that the amendment of the Highland Municipal Code to Establish and Authorize a Highland Main Street Bureau, a section within the Redevelopment Department, to be an exercise of local authority consistent with the provisions of IC 37-7-4, IC 36-7-14 and IC 36-1-3 and necessary or desirable in the conduct of its affairs;

WHEREAS, The Highland Town Council has further determined that the amendment of the Highland Municipal Code to Establish and Authorize a Highland Main Street Bureau would further perfect the organization of the municipality and advance its ability to provide and manage economic development and redevelopment in the municipality; and

WHEREAS, It would be and is in the best interest of the Town of Highland to enact such an ordinance as an amendment to the Highland Municipal Code;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. The Highland Municipal Code is hereby amended by repealing section 14.15.020 in its entirety and then adding a new Section to be numbered 14.15.020, which shall read as follows:

§ 14.15.020 BOARD of DIRECTORS

(A) The Highland Main Street Bureau shall have a board of directors, which shall consist of not less than seven (7) members and not more than twenty-one (21) members, as follows:

- (1) The municipal executive shall appoint three (3) special constituency members, one of which shall be chosen from the membership of **the Highland Town Council**; one of which shall be chosen from the membership of the **Highland Economic Development Commission**; and one of which shall be chosen as a representative of the **Highland Chamber of Commerce**, from its membership or staff.
- (2) The municipal legislative body shall appoint up to seventeen (17) persons, who may be Highland residents, Highland business owners or operators, or those who are interested in the objects and purposes of the Main Street Bureau.
- (3) The Highland Redevelopment Commission shall ~~be members by virtue of their office.~~, appoint a member from the membership of the Redevelopment Commission.

(B) The clerk of the municipal legislative body shall certify members appointed by legislative body and the executive shall certify his appointments, ass attested by the clerk of the municipal legislative body. The President of the Redevelopment Commission shall certify the appointment made by the Redevelopment Commission, attested by the secretary of the Redevelopment Commission. The certificates shall be sent to and made a part of the records of the Town and the Redevelopment Department.

Section 2. The Highland Municipal Code is hereby amended by repealing section 14.15.030 in its entirety and then adding a new Section to be numbered 14.15.030, which shall read as follows:

§ 14.15.030 TERMS OF SERVICE and MEMBERSHIP EXPECTATIONS

(A) Each member selected under HMC 14.15.020 (A)(2) shall be appointed for a term of two (2) years. ~~and may not serve more than four years in any six-year period.~~ Each member initially chosen under this ordinance, shall serve a term that expires on the first Monday of January following the appointment. Thereafter, appointments shall run from the date of appointments, for a period not to exceed two years, concluding on the first Monday of January of the second year after the year of the member's appointment. If there is a vacancy for any reason, then the term is for the balance remaining on the unexpired term of the vacating member.

(B) A member selected under HMC 14.15.020 (A)(1) or HMC 14.15.020 (A) (3) serves until his or her successor is appointed and qualified. Additionally, the term of office of a member who is appointed from the membership of the Town Council, ~~or the Economic Development Commission, or the Redevelopment Commission~~ is coextensive with the member's term of office on that body, unless the appointing authority appoints, at its first regular meeting in any year, another to serve. Any ~~original or a replacement~~ member is eligible for reappointment.

(C) Members serve without compensation, but may be reimbursed for reasonable expenses incurred in furtherance of the purposes and objectives of this ordinance. Reimbursements are subject to State and local law, and may be allowed by the Redevelopment Commission as that body allows other expenditures.

(D) A citizen member may not hold other elective or appointive office in municipal, county, or state government.

(E) All members of the Highland Main Street Bureau and its Board of Directors are expected to actively participate in activities of the organization and its board including but not limited to: (1) participation in meetings of the board; (2) supporting and encouraging the participation of others, such as business leaders, community leaders and other citizens, when appropriate; and (3) contribution of time, talent and information.

Section 3. The Highland Municipal Code is hereby amended by repealing section 14.15.040 in its entirety and then adding a new Section to be numbered 14.15.040, which shall read as follows:

14.15.040 MEMBERSHIP VACANCIES AND REMOVAL

(A) The appointing authority may remove a member from the board of directors for any reason. ~~All members appointed by either the municipal executive or the legislative body,~~ serve at the pleasure of the appointing authority.

(B) If a vacancy occurs among the appointed members of the board of directors, then the appointing authority shall appoint a member for the unexpired term of the vacating member.

Section 4. That all members who may be serving at the time of the passage and adoption of this ordinance may be reappointed as non-initial appointees.

Section 5. That any and all such ordinances in conflict with the provisions of this ordinance, are hereby repealed and have no further force or effect.

Section 6. This ordinance shall become and be in full force and effect from January 1, 2012 and thereafter upon its passage and adoption and its signature by the executive in the manner prescribed by IC 36-5-2-10(a).


Introduced and Filed on the 10th day of December 2012. Consideration on same day or at same meeting of introduction attained 4 votes in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

Duly Ordained and Adopted this 10th day of December 2012 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA


Bernie Zemen, President (IC 36-5-2-10)

ATTEST:


Michael W. Griffin, IAMC/MMC/CPFA/CPFIM
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

